

**WILKINSBURG BOROUGH COUNCIL MEETING**  
**Planning Session**  
**September 5, 2012**

**CALL TO ORDER**

President Cohn called the meeting to order at approximately 6:33 PM in Council Chambers, second floor of the Municipal Building, 605 Ross Ave., Wilkinsburg, PA.

**ROLL CALL**

The roll was called to establish a quorum. Council members present were: Mr. Lefebvre (via phone connection), Ms. Ervin, Ms. Evans, Ms. Moore Ms. Goodman, Ms. Macklin, and President Cohn. Marla P. Marcinko, Borough Manager was also present. Absent were Ms. Trice, Ms. McCarthy-Johnson and Mayor John Thompson. A quorum was established.

**PLEDGE OF ALLEGIANCE**

Following the pledge of allegiance, a moment of silence was observed to remember all victims of violent crime including George Anthony Cox, Jr., Timothy Boyd, and Emery Lamberto.

President Cohn advised Council that a representative from Portnoff Law Associates is in attendance to discuss the Borough's delinquent tax collection program. He introduced members of the Wilkinsburg School Board and Administration who were in attendance: Karen Payne, Shannon Bennett and Wilkinsburg School District Business Manager Bruce Dakan.

**PUBLIC COMMENT**

**Lonzo Boyce - 2037 McNary Blvd.** Mr. Boyd addressed Council regarding a program he started called "Constables for Kids". The program raises money to purchase school supplies for children. He will be at Turner Elementary School on Saturday September 8, 2012 from 11:30 AM to 2:30 PM. Mr. Boyce stated that he wanted to demonstrate the support of the constables in the community in any way possible. Ms. Moore expressed her support of the program.

**Tom Montgomery - 1003 Savannah Ave.** Introduced himself as the Vice President of the Regent Square Civic Association. He commented that the Association will be having a pet parade and it would like a canine officer to serve as a judge. The RSCA is organizing a local voter registration event and Save-A-Lot was suggested as a good location. Mr. Montgomery commented on traffic calming proposals he has heard about for the parkway. He believes this will have a negative effect on local streets in local communities. Ms. Evans commented that the Congress of Neighboring Communities is facilitating discussions on this matter with PA DOT representatives. President Cohn

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commented that there will be continued discussion and education in the future. Ms. Macklin suggested that constituents contact their State legislators.

**Kate Luxemburg – 432 Rebecca Ave.** – Commented on the condition of 512 North Avenue and that it has been condemned by the County since 2006 and that the taxes are paid. Ms. Marcinko clarified that condemnation status by the County does not constitute legal condemnation proceedings. Ms. Luxemburg commented that nearly \$12,000,000 is in collection by Portnoff Law Associates as of 2012. She suggested focusing on property owners receiving housing vouchers. President Cohn stated that the Borough and the School District are again looking at this issue.

**SPECIAL PRESENTATION**

President Cohn introduced Megan Iannacone of Portnoff Law Associates.. Ms. Iannacone is an attorney that handles Wilkinsburg Borough and Wilkinsburg School District accounts for Portnoff Law Associates. She is in attendance to respond to questions and concerns about PLA's delinquent tax collection efforts. Ms. Iannacone presented a summary of collections. She commented that collection efforts can be more aggressive with Section 8 property owners and suggested amending the policy on payment plans and allowing on a one-time basis. Ms. Evans commented on her meeting with the County Treasurer on this issue. Mr. Weinstein would be willing to meet with the Borough and School District to discuss the matter. Ms. Macklin questioned the ability of PLA to use Act 45 for the collection of delinquent taxes. Ms. Iannacone responded that the legal review conducted by her office indicates that PLA is not a "tax collector" as defined by the legislation and therefore would not be permitted to collect delinquent property taxes from tenants. In accordance with Act 90, the Borough can deny permits to property owners who are tax delinquent. Discussion on the pros and cons of Acts 45 and 90 were discussed. Ms. Macklin questioned the statistical report provided and the base charge of delinquencies and requested that Ms. Iannacone respond to the statement that there is \$12,000,000 in collection. Ms. Iannacone stated that the amount in collection is what has been turned over by the Borough as unpaid. There was discussion of how payments are applied to delinquent accounts. Payments are applied to the oldest balances first.

Ms. McCarthy-Johnson questioned whether fees can be adjusted for the Municipal Service Fees collection. Ms. Iannacone will take the request back to Michelle Portnoff. Ms. Macklin asked if there is anything more the Borough can do to increase collections and/or sale of property. Ms. Iannacone suggested that Council urge its constituents to contact Portnoff Law Associates and that any concerns should be relayed to Ms. Marcinko or Ms. Iannacone. There was discussion about the importance of eligible participants filing tax rebate forms.

Ms. Iannacone suggested providing notice to properties which are deteriorating prior to reaching a blighted condition. Ms. Evans questioned whether more aggressive collection efforts are pursued with bank-owned properties. Ms. Iannacone responded that we the case. President Cohn questioned the benefits of moving to a traditional delinquent tax

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collection process. Ms. Iannacone responded that, in that case, the Borough would pay all costs as opposed to passing those on to the property owner.

The sheriff's sale process was discussed.

**PUBLIC SAFETY**

Ms. McCarthy-Johnson facilitated the discussion on the condemnation appeal for 512 North Avenue. Ms. Marcinko stated that the notice of the condemnation was issued to the property owner and that a timely appeal was filed. Ms. Marcinko read aloud a letter from the owner of the property. Per the letter, he is in the process of receiving bids for the demolition. Tony Eberhardt introduced himself as the owner's relative and associate who is helping with the process. Sean Gramz, Code Enforcement Director, has recommended that the property owner be given 90 days to complete the demolition provided a \$20,000 performance bond is posted by the owner. Ms. Evans commented on the need to hold property owners responsible. It was the consensus of Council to provide a 90-day extension in which to complete the demolition and require a \$20,000 performance bond.

Vice-President McCarthy-Johnson commented that she was approached by Bruce Kraus, City of Pittsburgh, regarding violence in the urban core. A lot is occurring in the region which she will share with Council when more information is received. President Cohn commented that the rash of recent violence may be beyond the control of local governments and authorities. Ms. Goodman commented that the Borough may need greater assistance from outside agencies. She suggested talking to Doug Shields and whether the involvement of federal agencies is warranted.

Ms. Evans commented that there are a number of contract awards for action and that the Engineer, Dave Gilliland, is in attendance to answer questions. Ms. Macklin asked what is included in the scope for the lighting. Ms. Marcinko commented that Council must make that decision as the scope of work was broken down into 3 parts. The extent of the repairs needed on all decorative lights on Penn Ave and Wood Street can only be determined following troubleshooting.

**1. Approving Resolution No. 12-065 – Awarding Window Painting and Column Repair Project.**

**Moved:** Ms. Macklin

**Second:** Ms. Evans

**All voted in favor of the motion. Motion carried.**

**2. Approving Resolution No. 12-066 – Awarding Center Street Sewer Liner Project.**

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**Moved:** Ms. Macklin

**Second:** Ms. Goodman

**All voted in favor of the motion. Motion carried.**

**3. Approving Resolution No. 12-067 – Awarding Wood Street Lighting Project.**

Ms. Marcinko suggested to Council to award the two components and re-advertise for bids for the third component. Mr. Gilliland spoke to Council about his recommendations for the project.

**Moved:** Ms. Evans

**Second:** Ms. Goodman

**All voted in favor of the motion. Motion carried.**

**4. Approving Resolution No. 12-068 – Awarding demolition of 1200 Franklin Avenue.**

**Moved:** Ms. Macklin

**Second:** Ms. McCarthy-Johnson

**All voted in favor of the motion. Motion carried.**

Ms. Macklin questioned whether the Princeton Park Pillars had been scheduled for repairs by the Department of Public Works. Ms. Marcinko responded that the project is not a priority at this time but will be placed on the list to address in the not too distant future. The cost estimate from a contractor is \$7,200. It was suggested that an additional quote be obtained from Shelton Masonry.

**GENERAL MATTERS**

**1. Approving Resolution No. 12-069 – Third Addendum to Agreement for Sale – 1900 Graham Blvd.**

**Moved:** Ms. Macklin

**Second:** Ms. Goodman

**All voted in favor of the motion. Motion carried.**

**2. Approving Resolution No. 12-070 – Appointing Susan Holmes – Acting Eastridge Branch Manager.**

**Moved:** Ms. Evans

**Second:** Ms. Moore

**All voted in favor of the motion. Motion carried.**

- 3. Approving Resolution No. 12-071 – Appointing Christopher Wood – Adult Assistant Services.**

**Moved:** Ms. McCarthy-Johnson

**Second:** Ms. Macklin

**All voted in favor of the motion. Motion carried.**

- 4. Approving Resolution No. 12-072 – reappointing Linda Law – Shade Tree Committee.**

**Moved:** Ms. Macklin

**Second:** Ms. Evans

**All voted in favor of the motion. Motion carried.**

- 5. Approving Resolution No. 12-073 – Removing Brenda Stewart from the Planning Commission.**

**Moved:** Ms. McCarthy-Johnson

**Second:** Mr. Lefebvre

**All voted in favor of the motion. Motion carried.**

- 6. Approving Resolution No. 12-074 – Removing Brenda West-Evans from the Planning Commission.**

Ms. Macklin informed Council that Ms. West-Evans has had health complications.

**Moved:** Ms. McCarthy-Johnson

**Second:** Mr. Lefebvre

**All voted in favor of the motion. Motion carried.**

- 7. Approving Resolution No. 12-075 – Accepting the resignation of Ernestine Stevens from the Planning Commission.**

**Moved:** Ms. Macklin

**Second:** Ms. McCarthy-Johnson

**Yes:** Ms. Moore, Ms. Goodman, Ms. McCarthy-Johnson, Mr. Lefebvre, Ms. Ervin, Ms. Evans, President Cohn.

**No:** Ms. Macklin

**Motion carried 7:1.**

**ADJOURNMENT**

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Being no further business, on motion by Ms. Goodman, second by Ms. McCarthy-Johnson, the meeting was adjourned at approximately 8:37 PM.

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Jason Cohn, Council President